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07-06-05

PATENT APPLICATION

Docket No.: 3109.1000-002-

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Mordechai M. Beizer, Daniel Berg, Rand Scullard, Pradeep R. Simha and

Mark A. Solomon

Application No.:

09/136,244

Group:

3624

Filed:

August 19, 1998

Examiner:

Ella Colbert

Confirmation No.:

1470

For:

STRUCTURED WORKFOLDER

RECEIVED

JUL 1 8 2005

GROUP 3600

Date: <u>7/7/05</u>

EXPRESS MAIL LABEL NO. EV214880557US

## RENEWED PETITION TO WITHDRAW HOLDING OF ABANDONMENT FOR FAILURE TO RESPOND TO AN OFFICE ACTION

Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Responsive to the Decision on Petition to Withdraw the Holding of Abandonment dated June 22, 2005 in the above-identified application, please reconsider this Decision and withdraw the holding of abandonment in view of the fact that the subject Office Action (supposedly mailed from the Patent Office on January 31, 2003) was not received at the practitioner's office.

The undersigned states that the subject Office Action was not received by the undersigned and attests to the fact that a search of the file jacket and docket records indicates that the Office Action was not received.

A copy of the docket record where the non-received Office Action would have been entered had it been received and docketed is attached as Exhibit A. The attached docket records include the list of all responses due by petitioner's firm at and around the due date of April 30, 2003.

Also attached is a copy of the Petition submitted by the practitioner on October 1, 2004 together with its exhibits. The foregoing and two attachments are believed to provide a sufficient showing to establish non-receipt of an Office Communication in accordance with the Notice entitled "Withdrawing the Holding of Abandonment when Office Actions Are Not Received" 1156OG53 (Nov. 16, 1993).

In consideration of the above statements and attachments, it is respectfully requested that the June 22, 2005 Decision on Petition be reconsidered and the holding of abandonment be withdrawn, that the outstanding Office Action be reissued, that the period for response be restarted and that the Amendment after Final be entered in response hereto to expedite examination of the subject application.

Please charge Deposit Account 08-0380 for any fees that may be due in this matter. An additional copy of this paper is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

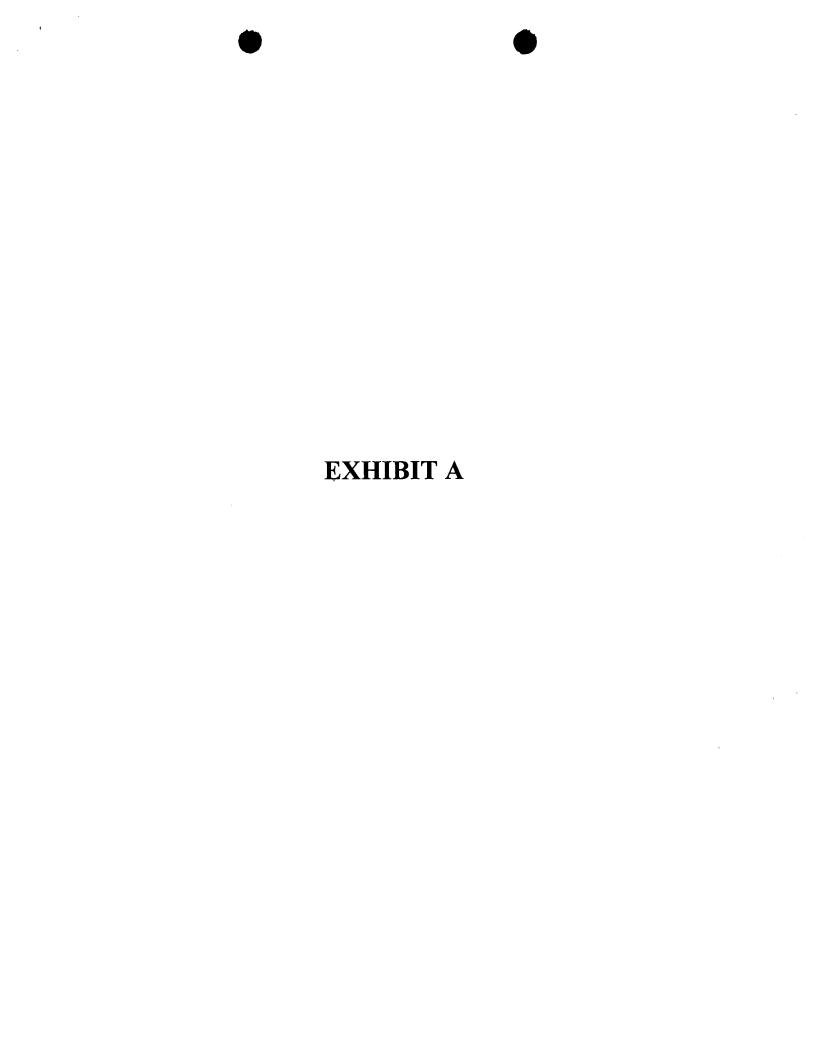
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Telephone: (978) 341-0036 Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: 7/6/05



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01MY2003	1440.2025-000	USA	COMPLETE APPL. IN USA DUE			DMH			
01MY2003	1440.2027-000	USA	FF FAX/CALL- 2 WKS TO DUE DATE	17MY2003		DMH	2		
01MY2003 31.643 ACC90-01	1646.1008-004	ISRA	REPLY TO OFFICIAL ACTION DUE			AOC	CAE	JCZ	
01MY2003	1733.1004-014	USA	FILE CITES/REL'D APPLICATIONS			CSE	SMA		
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01MY2003	1932.2095-001	USA	IDS - CASE FILED ON		27JE2002	SGD	JAF		
01MY2003 KP 041 US	1959.2013-001	USA	FILE CITES/REL'D APPLICATIONS			SWC	ELE		
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01MY2003 2134 GTX 303.0/UF-1849	2134.2006-007 F-1849	ASTL	ACCEPTANCE DUE - FINAL ON	01AU2003	:	CSE	SMA		

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2479.2017-003	2479.2017-003	2479.2017-003	2479.2017-003	2479.2017-003	2478.1005-005	2478.1005-003	2386.2019-000	2386.2018-000	2386.2017-000	2345.2049-000	2293.2011-000	
USA	USA	USA	USA	USA	JAPA	CANA	USA	USA	USA	USA	USA	2
DECL/SUR (4 MO EXT) FINAL	FILE ASSIGNMENT -CASE FILED ON	FILING FEE (4 MO EXT) FINAL	IDS - CASE FILED ON	POWER OF ATTY - CASE FILED	REVIEW MATTER	REVIEW MATTER	FF FAX/CALL- 1 WK TO DUE DATE	FF FAX/CALL- 1 WK TO DUE DATE	FF FAX/CALL- 1 WK TO DUE DATE	FILE ASSIGNMENT -CASE FILED ON	ST RE FF/CK FF LIC - DUE ON	
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	070C2002		070C2002	070C2002						01NO2002	- ב - ב - ב - ב - ב - ב - ב - ב - ב - ב	<del>1</del> -
DJT	DJT	DJT	TLO	DJT	A0C	AOC	LRR	LRR	LRR	AOC	DJT	•
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01MY2003 TAN0120	2479.2093-001	USA	RESCIND NONPUBLICATION REQUEST	Dead I I I I	- Q	DJT	TJM	7626	
01MY2003 TAN0139 PCT	2479.2112-003	PCT	REPLY TO WRITTEN OPN - DUE ON	27MY2003		DJT	CSK		
01MY2003 R-7289	2631.1002-003	PCT	SUBSTITUTE SEQUENCE LISTING			RWW	SAB		
01MY2003	2657.2010-001	USA	FILE ASSIGNMENT -CASE FILED ON		020C2001	DJT	TAG		
01MY2003 AIR9905P	2685.1010-001	USA	STATUS INQUIRY DUE			AIC	SGD		
01MY2003	2875.1001-008	USA	DECLARATION DUE			RWW	SAB		
01MY2003	2932.1006-007	USA	REVIEW MATTER			NSP	<u>M</u>	TLV	
01MY2003 0MRF182	2932.1008-005	ASTL	PRIOR ART DUE			NSP	M M M		
01MY2003 20.988P	3011.1003-003	PCT	CH II DEMAND RECEIVED?	17MY2003		NSP	ACT	KKA	
01MY2003 21,113P	3011.1004-003	РСТ	CH II DEMAND RECEIVED?	17MY2003		NSP	ACT	KKA	
01MY2003 RPI	3230.1001-001	USA	STATUS INQUIRY DUE			CSE	KKA		
01MY2003	3230.1001-003	PCT	CH II (IPE)/ AMD ART 34 DUE	01JE2003		CSE	KKA	AMA	
01MY2003 RPI677	3230.1004-003	РСТ	CH II (IPE)/ AMD ART 34 DUE	01JE2003		CSE	A	AMA	
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01MY2003 34 NIIN-PIL-005	01MY2003 34 NIIN-PAU-005	01MY2003 34 NIIN-PWO-011	01MY2003 34 NIIN-PWO-011	01MY2003 34 NIIN-PWO-011	01MY2003 34	01MY2003 33	01MY2003 33	01MY2003 32	01MY2003 32	01MY2003 32	01MY2003 32	01MY2003 32 M002	Due Date Do  01MY2003 32 RP1678	WORKBOOK
3499.1000-007	3499.1000-004	3474.1001-004	3474.1001-004	3474.1001-004	3419.1000-000	3324.1000-006	3324.1000-001	3293.1002-000	3283.1013-000	3265.1004-003	3258.1000-003	3239.1000-025	Docket No.  3230.1005-003	
ISRA	ASTL	РСТ	PCT	PCT	USA	PCT	USA	USA	USA	PCT	PCT	CHIN	Ctry  PCT	
PRIOR ART DUE	PRIOR ART DUE	SCH RPT?/FILE CITES IN RELD APPS	CH II WRITTEN OPINION REC'D?	CH II DOR DUE	FF FAX/CALL- 3 WKS TO DUE DATE	CH II (IPE)/ AMD ART 34 DUE	FILE ASSIGNMENT -CASE FILED ON	FILE ASSIGNMENT -CASE FILED ON	1ST RE FF/CK FF LIC - DUE ON	POWER OF ATTY REQUIRED/FNL	REPLY TO WRITTEN OPINION-MAIL	REPLY FINAL	Action  CH II (IPE)/ AMD ART 34 DUE	
	01JE2003				24MY2003	01JE2003			01AU2003		06MY2003	01JE2003	Deadline  01JE2003	
							01AU2002	01NO2002					Taken	
DEB	DEB	DEB	DEB	DEB	RDJ	RDJ	RDJ	DJT	DJT	DMH	DEB	DJT	Atty  CSE	
MKM	MK M	MKM	<b>M</b>	. MK		GHF	GHF			KJT	SGD		Res 1  SGD	
PGA	PGA			JAR		SAW		•		RG	KJ1		Res2  KKA	
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ANNUITY DUE	ANNUITY DUE	ANNUITY DUE	ANNUITY DUE	ANNUITY DUE	ANNUITY DUE	ANNUITY DUE	Action  CERTIFICATE OF CORRECTION	PCMASTER REPORTER
							Deadline	
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CSE	CSE	CSE	CSE	CSE	CSE	CSE	Atty  NSP	03 9 45
SMA	SMA	SMA	SMA	SMA	SMA	SMA	Res1	
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01MY2003 1 1650 NZ 504216	1932.1064-028	NEWZ	ACCEPTANCE FINAL	1		CSE	SMA		! ! !
01MY2003 28 6.254.854	2846.1001-007 354	USA	STATUS INQUIRY DUE		·	AIC	JCZ		
01MY2003 2 0MRF 166 AU 734220	2932.1005-004 220	ASTL	PRIOR ART DUE			NSP	MKM		
02MY2003	2345.2003-004	USA	PREPARE APPLICATION			MLW			
02MY2003	2345.2057-000	USA	FILE APPLICATION			AOC	YMM		
02MY2003	3474.1018-000	USA	FILE APPLICATION?			NSP	MKM		
02MY2003 MCA298 EPO	0046.1060-004	EPC	ANNUITY - DUE ON	02AU2003	٠	RTC	BAF		
02MY2003 200100148C	0046.2002-001	USA	FILE AMENDMENT AFTER FINAL			AOC	PAT		
02MY2003 200100148C	0046.2002-001	USA	NOTICE OF APPEAL (2 MO EXT)			AOC	PAT		
02MY2003 200100148C2	0046.2002-002	USA	FILE AMENDMENT AFTER FINAL			A0C .	PAT		
02MY2003 200100148C2	0046.2002-002	USA	NOTICE OF APPEAL (2 MO EXT)			AOC	PAT		
02MY2003 200100148C3	0046.2002-003	USA	FILE AMENDMENT AFTER FINAL			A0C	PAT ·		

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02MY2003 BU94-15A2	0054.1087-005	USA	FORMAL DRAWINGS (2 MO EXT)			DMH	CAE		
02MY2003 MIT4384W WHI85-05AAA	0399.1008-012	JAPA	INSTRUCTIONS FOR FOREIGN ASSOC.	10JE2003		AJC			
02MY2003 KPN93-09ACAF2	0717.1083-008 -2	USA	FILE AMENDMENT AFTER FINAL			RDJ			
02MY2003 KPN93-09ACAF2	0717.1083-008 <sup>:</sup> 2	USA	NOTICE OF APPEAL (2 MO EXT)			RDJ			
02MY2003	0717.2017-003	PCT	ADDITIONAL FEES DUE			NSP	KTS	JAR	
02MY2003	1440.2012-002	РСТ	CH II DOR DUE	12MY2003		DMH	YMM	JAR	
02MY2003 1683	1818.1030-005	CANA	ANNUITY - DUE ON	02AU2003		DEB	CAE	BAF	
02MY2003	1855.1005-025	USA	POWER OF ATTY - CASE FILED		280C2002	MBM	RHU		
02MY2003 MPI2000129CP1	1855.1069-003 <sup>5</sup> 1	USA .	REPLY (2 MO EXT)			MEW	RHU		
02MY2003 1482 TW	1932.2005-007	TAIW	RE-EXAM APPLICATION			CSE	SGD	JAR	
02MY2003	2037.2013-009	USA	POWER OF ATTY - CASE FILED		02JA2003	SWC	CMF		
02MY2003	2037.2026-000	NSA	IDS - CASE FILED ON		27 112002	SMC	CMF		

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3421.1009-004	3421.1005-008 PCT PCT	3353.1004-000	3254.1002-028 ISSUE	3227.1000-000	3223.1004-000	3033.1006-000	3033.1006-000	3033.1004-000	3033.1004-000	3000.1000-001	Docket No.  2907.1000-000		E REPORT
PCT	JAPA	USA	USA	USA	USA	USA	USA	USA	USA	USA	Ctry  USA		
REPLY TO WRITTEN OPINION-MAIL	CERTIFIED PRIORITY DOC. DUE	IDS - CASE FILED ON	STATUS INQUIRY DUE	FOREIGN FILING DUE	FILE ASSIGNMENT -CASE FILED ON	REVIEW FOR USA FILING - DUE ON	2ND RE FOREIGN FILING	REVIEW FOR USA FILING - DUE ON	2ND RE FOREIGN FILING	FILE CITES/REL'D APPLICATIONS	Action  REPLY DUE - 1 MO EXT		PCMASTER REPORTER
07MY2003	02JE2003					02JL2003	02JL2003	02JL2003	02JL2003		Deadline		
		02JA2003			020C2002						Taken		17AP2003
CSE	CSE	DEB	DEB	RDJ	MLW	SGD	SGD	SGD	SGD	LRR	Atty  DEB		)3 9 45
YMM	YMM	*	SMA	DMW	CSK					KTS	Res1		45 PAGE:
	PGA										Res2		E: 193
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02MY2003 0243.1040-000 EX97-01 6.056.435	02MY2003 0169.1005-000 31695RRL RN96-04 5.977.911	02MY2003 0050.1577-000 MIT-7581L 6.057.221	02MY2003 0050.1403-003 MIT-5830A2 5.977.333	02MY2003 0046.1060-001 0046.2001-001 2201603	02MY2003 3499.1003-003 NIIN-PWO-019	02MY2003 3474.1002-003 NIIN-PWO-012	02MY2003 3474.1000-002 NIIN-P01-010	02MY2003 3474.1000-002 NIIN-P01-010	02MY2003 3462.1002-000 0KT-A0001 Y1P-US	Due Date Docket No.	WCRADCCA
USA	USA	USA	USA	CANA	РСТ	PCT	USA	USA	USA	Ctry	
TAX BEYOND 4 YRS - DUE ON	TAX BEYOND 4 YEARS DUE	TAX BEYOND 4 YRS - DUE ON	TAX BEYOND 4 YEARS DUE	ANNUTTY - DUE ON	CH II WRITTEN OPINION REC'D?	CH II DOR LETTER - DUE ON	CORRECT DRAWINGS	PRELIMINARY AMENDMENT	IDS - CASE FILED ON	Action	
02N02003		02N02003		02AU2003		02JL2003				Deadline	
									02DE2002	Taken	
SWL	RDJ	SWL	DMH	A0C	DEB	DEB	DEB	DEB	DEB	Atty	
PER	PER	ELE	CAE	RTC	MKM	MKM	MKM	MKM	KJT	Res1	
		PER	PER	BAF	PGA	PGA	PGA	PGA		Res2	
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Due Date  02MY2003 KPN93-06AZ 5.976.	02MY2003 WAA-163 WAA96-01Z 5.976.	02MY2003 RIG97-01 5.975.	02MY2003 YA9401CIP DYX-006.1 U 6.057.	03MY2003	03MY2003 MIT8416L	03MY2003	03МҮ2003	03МҮ2003	03MY2003 WH199-23	03MY2003 WHI99-23
Docket No.  0717.1080-005 953	1913.1002-004 367	2029.1002-000 536	3421.1002-001 S 287	3109.1025-000	0050.2013-001	0050.2044-000	0050.2044-000	0100.2016-007	0399.2006-003	0399.2006-003
Ctry  USA	USA	USA	USA	USA	USA	USA	USA	TAIW	USA	USA
Action  TAX BEYOND 4 YEARS DUE	TAX BEYOND 4 YEARS DUE	TAX BEYOND 4 YEARS DUE	TAX BEYOND 4 YRS - DUE ON	PREPARE APPLICATION	REPLY DUE	FOREIGN FILING - DUE ON	FF FAX/CALL- 4 WKS TO DUE DATE	REPLY TO O.A. EXTENDED-FINAL	REPLY (2 MO EXT)	FORMAL DRAWINGS (2 MO EXT)
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Atty  NSP	AOC	LRR	CSE	ML M	NSP	SMC	SWC	JMS	AJC	AJC
Res1  RDJ	PER	SUS	ММА	GHF	ACT	RG		GHF		
Res 2  BAF			PGA							
Res3			SrS							
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1733.2004-003	1655.1050-008	1498.1017-010	1498.1017-003	1159.2002-002	0856.2016-005 N1	0856.2016-005 N1	0856.2016-005 N1	0856.2016-005 N1	0856.2016-005 N1	0856.2016-005 N1	0856.2010-000 W	Docket No.  0717.2028-003	
PCT	USA	JAPA	CANA	PCT	USA	USA	USA	USA	USA	USA	USA	Ctry  PCT	
POWER OF ATTY REQUIRED/FNL	FILE ASSIGNMENT -CASE FILED ON	REQUEST FOR EXAM - DUE ON 03JE2003	REQUEST FOR EXAM - DUE ON 03JE2003	CH II DOR DUE	SMALL ENTITY STATEMENT	FILE ASSIGNMENT -CASE FILED ON	FILING FEES - CASE FILED ON	IDS - CASE FILED ON	POWER OF ATTY - CASE FILED	DECL/SUR - CASE FILED ON	PRELIMINARY AMENDMENT	Action Deadline POWER OF ATTY REQUIRED/FNL	
	03JL2002											Taken 	
CSE	NSP	SWL	SWL	DMH	DMH	DMH	DMH	DMH	DMH	DMH	DMH	Atty NSP	
SMA		KTS	KTS	ACT							MKM	Res1	
SDL		RG	RG	JAR								Res2	
												Res3	

03MY2003 2134 GTX 303.0/UF-1849	03MY2003 2047. MPI1991002GB1USCN2 LYNX91-01A3	03MY2003 2047. MPI1991002GB1USCN2 LYNX91-01A3	03MY2003 1 0ID-1999-35-05 0RA99-09	03MY2003	03MY2003	03МҮ2003	03МҮ2003	03MY2003	03MY2003	03MY2003	03MY2003 2032	Due Date  03MY2003 ACT00-01	WORKBOOK	MASTER FILE REPORT
2134.2006-012 - 1849	2047.1001-005 \$1USCN2	2047.1001-005 \$1USCN2	1958.1024-000 05	1884.2014-001	1884.2014-001	1884.2014-001	1884.2014-001	1884.2014-001	1884.2014-001	1884.2014-001	1818.2003-000	Docket No. 1733.2004-005		REPORT
EURA	USA	USA	USA	USA	USA	USA	USA	USA	USA	USA	USA	Ctry  PCT		
REPLY TO O.A. EXTENDED-DUE ON	BRIEF ON APPEAL (3 MO EXT)	FILE AMENDMENT AFTER FINAL	NOTICE OF APPEAL (1 MO EXT)	IDS - CASE FILED ON	FILE ASSIGNMENT -CASE FILED ON	FILING FEES DUE (NOTICE REC'D)	SUBSTITUTE DRAWINGS DUE	DECL/SUR DUE (NOTICE REC'D)	SMALL ENTITY STATEMENT	POWER OF ATTY - CASE FILED	FOREIGN FILING DUE	Action POWER OF ATTY REQUIRED/FNL		PCMASTER REPORTER
03JE2003	•											Deadline		
				15JA2003	15JA2003					15JA2003		Taken		17AP2003
CSE	HEW	НЕМ	RDJ	SMC	SMC	SMC	SMC	SMC	SMC	JMS	DEB	Atty  CSE		)3 9 45
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IY2003       2645.2001-002       PCT       CH II DOR DUE         IY2003       2682.2009-003       USA       REPLY (1 MO EXT)         IY2003       2682.2021-000       USA       FOREIGN FILING - DUE ON         IY2003       2682.2021-000       USA       FF FAX/CALL- 4 WKS TO DUE DATE         IY2003       2682.2021-000       USA       IDS - CASE FILED ON         IY2003       2685.1001-001       USA       PREPARE REPLY - DUE ON         1-106PA       2791.1003-007       USA       SMALL ENTITY STATEMENT	Due Date 03MY2003 03MY2003 03MY2003 TAN0134 03MY2003 TAN02-43 03MY2003 03MY2003 03MY2003	Docket No. 2251.2013-000 2390.1006-009 2479.2107-000 2479.2181-003 2479.2181-003 2558.1002-000 2583.1002-003 2601.1001-009	Ctry USA USA USA USA USA USA	Action FILE ASSIGNMENT -CASE FILED ON REVIEW MATTER FOREIGN FILING DUE  COMPLETE APPL. IN USA DUE  FILING FEES DUE (NOTICE REC'D)  PREPLY TO RESTRICTION (2 MX)  FILE CITES/REL'D APPLICATIONS  REPLY (2 MO EXT)	Dead1 ine	Taken  03FE2003	Atty JMS JMS DJT DJT LRR RWW		Res1 DLW JMM JMM JAF KTS JCT
2479.2181-003 PCT  2558.1002-000 USA  2583.1002-003 USA  2601.1001-009 USA  2601.1001-009 USA  2645.2001-002 PCT  2682.2021-000 USA	/2003 )134 /2003 )134	2479.2107-000 2479.2107-000	USA USA	FOREIGN FILING DUE COMPLETE APPL. IN USA DUE				0.JT 0.JT	
2583.1002-003 USA 2601.1001-009 USA 2601.1001-009 USA 2645.2001-002 PCT 2682.2009-003 USA 2682.2021-000 USA 2682.2021-000 USA 2682.2021-000 USA 2682.2021-000 USA 2682.2021-001 USA 2685.1001-001 USA	3MY2003 -AN02-43 )3MY2003	2479.2181-003 2558.1002-000	PCT USA	FILING FEES DUE (NOTICE REC'D)  2ND RE FOREIGN FILING	03JL2	003	003		DJT AOC
2601.1001-009 USA 2601.1001-009 USA 2645.2001-002 PCT 2682.2009-003 USA 2682.2021-000 USA 2682.2021-000 USA 2682.2021-000 USA 2682.2021-000 USA 2685.1001-001 USA A 2791.1003-007 USA	03MY2003	2583.1002-003	USA	REPLY TO RESTRICTION (2 MX)				LRR	
2645.2001-002 PCT 2682.2009-003 USA 2682.2021-000 USA 2682.2021-000 USA 2682.2021-000 USA 2682.2021-000 USA 2685.1001-001 USA A 2791.1003-007 USA	03MY2003	2601.1001-009	USA	REPLY (2 MO EXT)				RWW	
2682.2009-003 USA 2682.2021-000 USA 2682.2021-000 USA 2682.2021-000 USA 2682.2021-001 USA 2685.1001-001 USA A 2791.1003-007 USA	03MY2003	2645.2001-002	PCT	CH II DOR DUE				SWC	JMS CMF
2682.2021-000 USA 2682.2021-000 USA 2682.2021-000 USA 2685.1001-001 USA A 2791.1003-007 USA	03мү2003	2682.2009-003	USA	REPLY (1 MO EXT)				SWL	JMS CSK
2682.2021-000 USA 2682.2021-000 USA 2685.1001-001 USA A 2791.1003-007 USA	03MY2003	2682.2021-000	USA	FOREIGN FILING - DUE ON	03JE2003	003	.003	.003 JMS	
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